

**STATE OF MAINE**  
**BOARD OF FUNERAL SERVICE**

*Minutes of January 13, 2015 Board Meeting*

Members Present: Robert Barnes, Chair; Brian Mays, Bethel Shields, Chad Poitras, Glenn Henderson, John Brennan and James Fernald.

Others Present: Torrey Gray, Board Administrator; Ronald Guay, AAG; Dottie Perry, Investigator; Merica Tripp; and Amanda Scott, Board Clerk.

Members Absent:

**CALL TO ORDER**

Robert Barnes, Chair, called the meeting to order at 9:00 a.m. and welcomed two (2) new Board members; James Fernald and Glenn Henderson.

**OLD BUSINESS**

**APPROVAL OF MINUTES**

In a motion by Chad Poitras and seconded by Glenn Henderson, the minutes from the November 4, 2014 meeting were approved as written.

**Vote: 5 in favor (2 recused – Bethel Shields and James Fernald)**

**NEW BUSINESS**

**COMPLAINT RE-PRESENTATION(S)**

**2013-FUN-8826**

A complaint was filed against a licensed practitioner alleging the aiding and abetting of unlicensed practice.

After review and discussion, a motion was made by Bethel Shields and seconded by James Fernald to reconsider the complaint.

**Vote: 4 in favor (3 recused – Robert Barnes, Brian Mays & Chad Poitras)**

After review and discussion, a motion was made by Bethel Shields and seconded by James Fernald to dismiss the complaint.

**Vote: 4 in favor (3 recused – Robert Barnes, Brian Mays & Chad Poitras)**

## **COMPLAINT PRESENTATION(S)**

### **2014-FUN-10503**

A complaint was filed against a licensed practitioner trainee alleging unprofessional conduct including, but not limited to, unlicensed practice.

After review and discussion, a motion was made by Glenn Henderson and seconded by James Fernald to offer a consent agreement to include an admission, a formal warning and a fine in the amount of \$1500.00 for violation(s) of Chapter 10, Section 3 of the Board's Rules.

**Vote: 6 in favor (1 recused – Brian Mays)**

### **2014-FUN-9886/10504/10517**

A complaint was filed against a licensed funeral practitioner alleging unprofessional conduct including, but not limited to, aiding & abetting unlicensed practice.

After review and discussion, a motion was made by Chad Poitras and seconded by John Brennan to offer a consent agreement to include a revocation of licensure and a fine in the amount of \$1500.00 for violation(s) of Chapter 10, Section 4(3) and Chapter 15, Section 3 of the Board's Rules.

**Vote: 6 in favor (1 recused – Brian Mays)**

## **APPLICATION REVIEW(S)**

### **Jason Bryant – Funeral Attendant**

An applicant submitted an application for licensure as a Funeral Attendant.

After review and discussion, a motion was made by Chad Poitras and seconded by Glenn Henderson to approve the applicant for licensure.

**Vote: 7 in favor**

### **Steven Nadeau – Practitioner**

An applicant submitted an application for examination and licensure as a Funeral Practitioner.

After review and discussion, a motion was made by Chad Poitras and seconded by Bethel Shields to preliminarily deny the application for examination and licensure pursuant to Board's Rules Chapter 6-A, Section 1(1)(B) and Chapter 5, Section 8.

**Vote: 6 in favor (1 recused – Robert Barnes)**

## **REVIEW OF DECISION & ORDER(S)**

### **Anthony Bowers**

In a motion made by Chad Poitras and seconded by Robert Barnes, the Board voted to approve the Decision & Order as written.

**Vote: 2 in favor (5 recused – Brian Mays, Bethel Shields, Glenn Henderson, John Brennan and James Fernald)**

## **CORRESPONDENCE**

### **Jay Bradshaw, Maine Emergency Medical Services**

The Board reviewed correspondence submitted by Mr. Bradshaw. Torrey Gray, Board Administrator will respond.

## **OTHER BUSINESS**

### **CHAIR'S REPORT**

Robert Barnes once again welcomed new members. Mr. Barnes noted he will be traveling to Florida due to his position as Past President with the International Conference of Funeral Boards.

### **ADMINISTRATOR'S REPORT**

Ronald Guay, Assistant Attorney General, informed the Board that 32 M.R.S. §1405 will continue to be enforced until such time as the statute is amended.

Torrey Gray, Board Administrator, welcomed new members James Fernald and Glenn Henderson. Handouts were distributed to the Board detailing current license numbers, guidelines for Board members and licensing penalty options.

## **ADJOURN**

There being no further business, in a motion by Bethel Shields and seconded by Glenn Henderson, the Board voted unanimously to adjourn at 10:39 am.

The next Board meeting is scheduled for March 10, 2015.